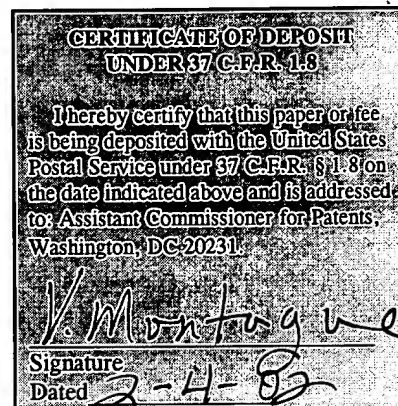




Patent Application No. 09/989,980
Docket No. T8907

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Tracy Gibbs
SERIAL NO.: 09/989,980
FILED: 11/20/2001
FOR: NUTRIENT ABSORPTION
ENHANCING COMPOSITIONS
AND METHODS
ART UNIT: 1646
EXAMINER:
DOCKET NO.: T8907



INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

 X 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

BEST AVAILABLE COPY

_____ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

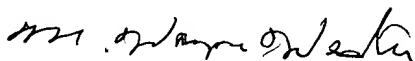
For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

BEST AVAILABLE COPY

Please charge any additional fees or credit any overpayment to Deposit Account No. 20-0100.

DATED this 4th day of February, 2002.

Respectfully submitted,



M. Wayne Western
Attorney for Applicant
Registration No. 22,788

THORPE NORTH & WESTERN, L.L.P.
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone (801) 566-6633

WJO
MWW/DWO/vm
Enclosures

[H:\FILES\T8000\T8907\ids statement.wpd]

BEST AVAILABLE COPY